



Patent
Attorney Docket: 032,290-112
(formerly END 897DIV2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

S. Foerster et al.

Serial No.: 10/734,671

Filed: December 12, 2003

For: **METHODS AND DEVICES FOR
DEFINING AND MARKING TISSUE**

Group Art Unit: 3736

Examiner: Anuradha Roy

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants herein request a corrected filing receipt for the above-identified patent application. Enclosed is a copy of the Filing Receipt mailed April 19, 2005, attached as Exhibit A, with the requested corrections added in red. Applicants respectfully ask that the following corrections be made and a new Official Filing Receipt be issued.

The Filing Receipt for the above-identified application (copy enclosed) is incorrect in that it incorrectly lists the priority data. The correct continuing data should be listed as:

CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, Alexandria, VA 22313-1450.

January 25 2006
Date of Deposit
NB1:674072.1

Cynthia B. Pacheco
Cynthia B. Pacheco

**This application is a CON of 10/213,638 08/07/2002
which is a CON of 09/954,646 09/18/2001
which is a CON of 09/776,125 02/02/2001
which is a CON of 08/858,389 05/19/1997 PAT 6,228,055
which is a CON of 08/308,097 09/16/1994**

The proper priority claim is stated on the enclosed copy of the Amendment and Response and
Petition Under 37 C.F.R. § 1.78(a)(3) For Acceptance of Claim of Priority. We respectfully request
the issuance of a corrected filing receipt.

The Commissioner is hereby authorized to charge any fees that may be required in
connection with the filing of these documents to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: January 25, 2006

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/734,671	12/12/2003	3736	770	032,290-112	7	4	3

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CONFIRMATION NO. 6289

FILING RECEIPT



OC000000015775593

Date Mailed: 04/19/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

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File: 032,290-112

Action Item: _____

Date Due: _____

Critical Date: _____

Attorney Path: JCR/WRW

Docketed By: _____

Verified By: _____

Domestic Priority data as claimed by applicant

This application is a CON of 10/213,638 08/07/2002
 which is a CON of 09/954,646 09/18/2001
 which is a CON of 09/776,125 02/02/2001
 which is a CON of 08/858,389 05/19/1997 PAT 6,228,055
 which is a CON of 08/308,097 09/16/1994 ABN

Foreign Applications

If Required, Foreign Filing License Granted: 02/01/2005

The country code and number of your priority application, to be used for filing abroad under the Paris

Convention, is **US10/734,671**

Projected Publication Date: 07/28/2005

Non-Publication Request: No

Early Publication Request: No

Title

Methods and devices for defining and marking tissue

Preliminary Class

600

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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